

# EXHIBIT D

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:15-cv-00451-BO

RAYMOND C. TARLTON, as guardian ad )  
litem for HENRY LEE MCCOLLUM and J. )  
DUANE GILLIAM, as Guardian of the Estate )  
of LEON BROWN, )  
Plaintiffs, )  
v. )  
TOWN OF RED SPRINGS, et al., )  
Defendants. )

**NOTICE OF APPEAL OF  
DEFENDANTS KENNETH SEALEY  
AND ROBERT E. PRICE,  
ADMINISTRATOR C.T.A. OF  
THE ESTATE OF JOEL GARTH  
LOCKLEAR, SR.**

COME NOW the defendants, Kenneth Sealey, in both his individual capacity and in his official capacity as the Sheriff of Robeson County, and Robert E. Price, Administrator C.T.A. of the Estate of Joel Garth Locklear, Sr., in his individual and official capacity, in the above-referenced case, and hereby appeal to the United States Court of Appeals for the Fourth Circuit from an Order dated and filed March 1, 2018, denying the motions for summary judgment of Kenneth Sealey and Robert E. Price, Administrator C.T.A. of the Estate of Joel Garth Locklear, Sr., in their respective individual and official capacities.

Respectfully submitted, this the 30th day of March, 2018.

s/ James R. Morgan, Jr.

James R. Morgan, Jr.

N.C. State Bar No. 12496

Bradley O. Wood

N.C. State Bar No. 22392

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*Counsel for defendants Kenneth Sealey and Robert  
E. Price, Administrator C.T.A. of the Estate of Joel  
Garth Locklear, Sr.*

## **CERTIFICATE OF SERVICE**

On March 30, 2018, the undersigned electronically filed the foregoing **NOTICE OF APPEAL OF DEFENDANTS KENNETH SEALEY AND ROBERT E. PRICE, ADMINISTRATOR C.T.A. OF THE ESTATE OF JOEL GARTH LOCKLEAR, SR.** with the Clerk of Court using CM/ECF system, which will send notification of such filing to the following:

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s/ James R. Morgan, Jr.

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
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RAYMOND TARLTON, as guardian ad )  
litem for HENRY LEE MCCOLLUM, and J. )  
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Plaintiffs, )  
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KENNETH SEALEY, both individually and )  
in his official capacity as the Sheriff of )  
Robeson County, KENNETH SNEAD, )  
ROBERT E. PRICE, Administrator C.T.A. )  
of the Estate of Joel Garth Locklear, LARRY )  
FLOYD, LEROY ALLEN, PAUL )  
CANADY, Administrator C.T.A. of the )  
Estate of Luther Haggins, )  
 )  
Defendants. )

NOTICE OF APPEAL

Defendants Kenneth Snead and Leroy Allen appeal to the United States Court of Appeals for the Fourth Circuit from the district court's March 1, 2018, order (Doc. 260) that denied Snead's and Allen's motions for summary judgment. In accordance with Rule 4(a)(3) of the Federal Rules of Appellate Procedure, this notice of appeal is filed within 14 days of the March 30, 2018, notice of appeal filed by Defendants Kenneth Sealey and Robert E. Price.

This 11th day of April, 2018.

JOSHUA H. STEIN  
Attorney General

/s/ Matthew W. Sawchak  
Matthew W. Sawchak

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CERTIFICATE OF SERVICE

I certify that on April 11, 2018, I electronically filed the above NOTICE OF APPEAL with the Clerk of the Court using the CM/ECF system, which will notify all parties' counsel of record.

/s/ Matthew W. Sawchak  
Matthew W. Sawchak